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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 MARILYN BISHOP-DAVIS,

10 Plaintiff(s),

11 v.

12 NV ENERGY, INC.,

13 Defendant(s).
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Case No. 2:17-cv-02576-JCM-VCF

ORDER

15 On November 2, 2017, the Court set an early neutral evaluation in this case for December 13,
16 2017. Docket No. 7. Based on the parties' stipulation that such ENE should be held after a decision on
17 Defendant's motion to dismiss, the Court then vacated that ENE. Docket Nos. 8-9. Immediately
18 thereafter, Plaintiff filed a motion to amend the complaint. Docket No. 11. Although the undersigned
19 does not intend to prejudice the outcome of that motion and expresses no opinion herein whether it will
20 be granted, the motion to amend appears to substantially decrease the potential that the pending motion
21 to dismiss will dispose of this case. *See* Fed. R. Civ. P. 15(a)(1)(B) (parties may amend as a matter of
22 course and without leave within 21 days of the service of a motion to dismiss); *see also Eminence*
23 *Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003) (*per curiam*) (when leave is required
24 to amend under Fed. R. Civ. P. 15(a)(2), it is nonetheless provided with "extreme liberality"). Given
25 the changed circumstances, the Court again schedules an ENE to commence **December 13, 2017 at 9:30**
26 **a.m.** in the chambers of the undersigned Magistrate Judge on the fourth floor of the Lloyd D. George
27 United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada. The parties shall
28 submit ENE statements no later than **December 6, 2017**.

1 The order at Docket No. 7 continues to govern the ENE in this case.

2 IT IS SO ORDERED.

3 Dated: November 8, 2017

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7 Nancy J. Koppe
8 United States Magistrate Judge
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